

Jason Goodman
252 7th Avenue #6s
New York, NY 10001

June 14, 2021

District Judge Valerie E. Caproni
U.S. District Court
500 Pearl Street
New York, New York 10007-1312

SUBJ: Letter from Plaintiff D. George Sweigert containing spurious
accusations intended to delay these proceedings
1:18-cv-08653-VEC-SDA

Your Honor,

I have just downloaded Plaintiff's letter dated June 14, 2021 from the docket. This letter asserts incorrectly that I was obligated to supply Plaintiff with a Word version of my Rule 56.1 statement submitted to the court on June 1, 2021 (ECF No. 280) pursuant to Magistrate Judge Aaron's order of May 4, 2021 (ECF No. 270) as well as oral orders issued during the preceding Discovery conference.

During a discovery status conference with Magistrate Judge Aaron on March 11, 2021 Defendant was ordered to provide Plaintiff with paper documents only, and to mail those to the General Delivery address at the Nevada City CA post office, pursuant to earlier false allegations by Plaintiff that Defendant had sent malware in previous electronic communications. There was no basis in fact for that claim, it was and is false. Plaintiff has not explained what has changed since the time he made the false allegation that now causes him to want electronic production and no order has been issued by the court instructing Defendant to do so.

Defendant was following the direct oral orders Judge Aaron per the conference on March 11, but moreover, when appearing before Judge Aaron it is Defendant's understanding that matters shall be conducted in accordance judge Aaron's Individual Practices for Civil Cases. These practices are applicable to cases before Judge Aaron if the matter is within the scope of the District Judge's order of reference or if the parties consent to have the case before Judge Aaron for all purposes pursuant to 28 U.S.C. § 636(c).

https://www.nysd.uscourts.gov/sites/default/files/practice_documents/SDA%20Aaron%20Individual%20Practices%20Revised%20July%206%202020.pdf

Under Judge Aaron's Individual Practices, there is no requirement to provide a Word version of my 56.1 Statement. This causes Defendant to believe Plaintiff's current demand is nothing more than the latest effort by him to further delay and prolong this matter in his ongoing effort to harass Defendant Goodman and by extension this court.

Lastly, as an IT expert and Certified Ethical Hacker, Sweigert must be aware that Microsoft Word and even the free, online equivalent Google Docs, can both open and edit PDF documents as if they were Microsoft Word documents making a distinction between the two formats potentially obsolete or at least irrelevant in this instance. In fact, this response letter was created by editing the Plaintiff's PDF letter as downloaded from the docket. **(EXHIBIT A)** This latest claim of undue added burden due to allegedly re-typing the document is yet another frivolous, false, spurious claim with no purpose other than delay and further harassment of the court and Mr. Goodman.

If it should please the court, Defendant can provide the original Microsoft Word Document, but concerns remain that this will lead to further allegations from Plaintiff. Today's letter again begs the question as to why Plaintiff suddenly feels there is no risk of malware, whereas before he dedicated an entire motion to bringing this false accusation to the court's attention and substantially increasing printing and mailing costs for Defendant.

CERTIFICATE OF SERVICE

The undersigned hereby attests under penalties of perjury that copies of this communication have been sent via electronic mail message to the following parties on the fourteenth day of June (6/14), two thousand and twenty-one (2021).

Clerk of the Court, Room 200 temporary_pro_se_filing@nysd.uscourts.gov	D. George Sweigert General Delivery Nevada City, CA 95959
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Respectfully submitted,
Jason Goodman
Pro Se Defendant
252 7th Avenue #6s
New York, NY 10001
323-744-7594



(EXHIBIT A)

Deleted: Case 1:18-cv-08653-VEC-SDA Document 289
Filed 06/13/21 Page 1 of 2

Jason Goodman
252 7th Avenue #6s
New York, NY 10001

Deleted: D. GEORGE SWEIGERT
GENERAL DELIVERY
NEVADA CITY, CA 95959

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June 14, 2021

District Judge Valerie E. Caproni
U.S. District Court
500 Pearl Street
New York, New York 10007-1312

SUBJ: Letter from Plaintiff D. George Sweigert containing spurious
accusations intended to delay these proceedings
1:18-cv-08653-VEC-SDA

Deleted: No Microsoft Word document transported to
undersigned per Individual Practice for Civil Cases (IPCC),
November 7, 2019

Your Honor,

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https://www.nysd.uscourts.gov/sites/default/files/practice_documents/SDA%20Aaron%20Individual%20Practices%20Revised%20July%206%202020.pdf

Deleted: Case 1:18-cv-08653-VEC-SDA Document 289
Filed 06/13/21 Page 2 of 2 ¶

Under Judge Aaron's Individual Practices, there is no requirement to provide a Word version of my 56.1 Statement. This causes Defendant to believe Plaintiff's current demand is nothing more than the latest effort by him to further delay and prolong this matter in his ongoing effort to harass Defendant Goodman and by extention this court.

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Clerk of the Court, Room 200
temporary_pro_se_filing@nysd.uscourts.gov

D. George Sweigert
General Delivery
Nevada City, CA 95959

Respectfully submitted,
Jason Goodman
Pro Se Defendant
252 7th Avenue #6s
New York, NY 10001
323-744-7594

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Deleted: Failure by moving party to comply with ref: (a) ¶

¶
Pending before the Court is a motion for summary judgement pursuant to New York ¶
Consolidated Laws, Civil Rights Law CVR §76-A (ECF no. 277, 278, 279, 280). ¶
Pursuant to ref: (a) the moving party is required to transport a Microsoft Word file to the nonmoving party (undersigned). "The moving party shall provide all non-moving parties with a Microsoft Word version of the 56.1 Statement, so that they may incorporate their responses into a single document, as discussed below." ¶
The undersigned has not received the electronic version (in the form of a Microsoft Word version) of the Defendant's "Rule 56.1 Statement". This situation has caused a great deal of frustration as the undersigned attempts to comply with the Court's deadline of docketing a responsive pleading on July 1, 2021. ¶
The undersigned requests a 14-day delay in the pending deadline to docket the responsive pleading to the Defendant's Local Rule 56.1 STATEMENT OF UNDISPUTED FACTS (ECF doc. 280), a delay of fourteen (14) days to commence after the confirmed receipt of the Microsoft Word file. ¶
The undersigned assumes the Court is aware of the difficulty in re-entering 99 paragraphs and 14 pages of the Defendant's word commentary legal into a new document. This is an unduly burdensome requirement to force on the undersigned, in addition to the violation of ref: (a). ¶
¶
Discovery extension provided for retroactive inequalities ¶
As "actual malice" is now a threshold requirement due to the passage of the amended New York Consolidated Laws, Civil Rights Law - CVR §76-A, and as this is a new requirement imposed on the undersigned in a retroactive manner, a 30-day extension is requested in the deadline to docket the responsive pleading (ECF doc. 280). To support this request, below please find a decision on this type of matter. ¶
"As a threshold matter, this Court has repeatedly explained that, "resolution of the . . . actual malice inquir[y] typically requires discovery." Church of Scientology Int'l v. Behar, 238 ¶
F.3d 168, 173 (2d Cir. 2001); see also Karedes v. Ackerley Grp., Inc., 423 F.3d 107, 118-19 (2d Cir. 2005) (obser[...]) [1]

Deleted: Jason Goodman, CEO ¶
truth@crowdsourcethetruth.org

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Pro Se Non-Attorney ¶

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